

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

UNITED STATES OF AMERICA

v.

Case Number: EP:17-CR-00119-KC(2)  
USM Number: 46862-424

Reiquon Gaines TN: REIQUON MALIK GAINES

Defendant.

**JUDGMENT IN A CRIMINAL CASE**  
(For Offenses Committed On or After November 1, 1987)

The defendant, Reiquon Gaines TN: REIQUON MALIK GAINES, was represented by Rebecca R. Reyes.

On motion by the United States, the Court has dismissed the Indictments currently pending against the defendant in this cause and EP:17-CR-579-KC.

The defendant pled guilty to Count(s) One and Two of the Information on September 1, 2017. Accordingly, the defendant is adjudged guilty of such Count(s), involving the following offense(s):

| <u>Title &amp; Section / Nature of Offense</u>    | <u>Offense Ended</u> | <u>Count</u> |
|---|----------------------|--------------|
| 18 U.S.C. 2113 – Aiding and Abetting Bank Robbery | September 9, 2016    | One          |
| 18 U.S.C. 2113 – Aiding and Abetting Bank Robbery | November 15, 2016    | Two          |

As pronounced on January 24, 2018, the defendant is sentenced as provided in pages 2 through 8 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid. If ordered to pay restitution, the defendant shall notify the Court and United States Attorney of any material change in the defendant's economic circumstances.

SIGNED this 30th day of January, 2018.

  
KATHLEEN CARDONE  
UNITED STATES DISTRICT JUDGE

DEFENDANT: Reiquon Gaines TN: REIQUON MALIK GAINES  
CASE NUMBER: EP:17-CR-00119-KC(2)

**IMPRISONMENT**

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a term of thirty (30) months as to each of Counts One and Two to be served concurrently.

The Court makes the following recommendations to the Bureau of Prisons:

That the defendant be admitted to the (500 hour) Comprehensive Drug Abuse Treatment Program.

That the defendant be incarcerated in a federal facility as close to Chicago, Illinois as possible.

The defendant shall remain in custody pending service of sentence.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this Judgment.

United States Marshal

By \_\_\_\_\_  
Deputy Marshal

DEFENDANT: Reiquon Gaines TN: REIQUON MALIK GAINES  
CASE NUMBER: EP:17-CR-00119-KC(2)

### **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of three years as to each of Counts One and Two to be served concurrently.

While on supervised release, the defendant shall comply with the mandatory, standard and if applicable, the special and/or additional conditions on the attached pages that have been adopted by this Court.

### **MANDATORY CONDITIONS**

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
  - ☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. You shall submit to the collection of a DNA sample from you at the direction of the United States Probation Office if the collection of such a sample is authorized pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. § 14135a).
5. ☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
6. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*
7. ☒ You must make restitution in accordance with 18 U.S.C. §§ 2248, 2259, 2264, 2327, 3663, 3663A, and 3664. *(check if applicable)*
8. You must pay the assessment imposed in accordance with 18 U.S.C. § 3013.
9. If this judgment imposes a fine, you must pay in accordance with the Schedule of Payments sheet of this judgment.
10. You must notify the court of any material change in your economic circumstances that might affect your ability to pay restitution, fines, or special assessments.

DEFENDANT: Reiquon Gaines TN: REIQUON MALIK GAINES  
CASE NUMBER: EP:17-CR-00119-KC(2)

### STANDARD CONDITIONS OF SUPERVISED RELEASE

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

### U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. I understand additional information regarding these conditions is available at the [www.uscourts.gov](http://www.uscourts.gov).

Defendant's Signature \_\_\_\_\_

Date \_\_\_\_\_

DEFENDANT: Reiquon Gaines TN: REIQUON MALIK GAINES  
CASE NUMBER: EP:17-CR-00119-KC(2)

**SPECIAL CONDITIONS OF SUPERVISED RELEASE**

- X It is a condition of supervision that the defendant shall provide the probation officer access to any requested financial information.
- X It is a condition of supervision that the defendant shall not incur any new credit charges or open additional lines of credit without the approval of the probation officer, unless the defendant is in compliance with the payment schedule.

DEFENDANT: Reiquon Gaines TN: REIQUON MALIK GAINES  
CASE NUMBER: EP:17-CR-00119-KC(2)

**ADDITIONAL CONDITIONS OF SUPERVISED RELEASE**

- X The defendant shall participate in a cognitive behavioral treatment program as directed by the probation officer, and if deemed necessary by the probation officer. Such program may include group sessions led by a counselor or participation in a program administered by the probation office. The defendant may be required to contribute to the cost of the services rendered (copayment) in an amount to be determined by the probation officer, based upon the defendant's ability to pay.
  
- X The defendant shall participate in a vocational services program and follow the rules and regulations of that program. Such a program may include job readiness training and skills development training. The defendant shall pay for the costs of the program if financially able.

DEFENDANT: Reiquon Gaines TN: REIQUON MALIK GAINES  
CASE NUMBER: EP:17-CR-00119-KC(2)

**CRIMINAL MONETARY PENALTIES/ SCHEDULE**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth. Unless the Court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. Criminal Monetary Penalties, except those payments made through Federal Bureau of Prisons' Inmate Financial Responsibility Program shall be paid through the Clerk, United States District Court, 525 Magoffin Avenue, Room 105, El Paso, Texas 79901.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

|        | <b><u>Assessment</u></b> | <b><u>JVTA Assessment*</u></b> | <b><u>Fine</u></b> | <b><u>Restitution</u></b> |
|--------|--------------------------|--------------------------------|--------------------|---------------------------|
| TOTAL: | \$200.00                 | \$0.00                         | \$0.00             | \$15,853.00               |

**Special Assessment**

It is ordered that the defendant shall pay to the United States a special assessment of \$200.00.

**Fine**

The fine is waived because of the defendant's inability to pay.

**Restitution**

The defendant shall pay restitution in the amount of \$15,853.00 through the Clerk, U.S. District Court, for distribution to the payee(s). Restitution of \$8,000.00 to United Bank of Paso Del Norte will be ordered jointly and severally with co-defendant Shawn Anthony Williams Jr. (1). Payment of this sum shall begin immediately. No further payment shall be required after the sum of the amounts actually paid by the defendants/participants has fully covered all the compensable injuries.

The Court directs the United States Probation Office to provide personal identifier information of victims by submitting a "reference list" under seal Pursuant to E-Government Act of 2002" to the District Clerk within ten(10) days after the criminal Judgment has been entered.

| <b><u>Name of Payee</u></b>   | <b><u>Amount of Restitution</u></b> |
|---|-------------------------------------|
| United Bank of Paso Del Norte<br>Attention: Martha Mendez<br>125 Mesa Hills Drive<br>El Paso, TX 79912<br>(915)231-2500 | \$8,000.00                          |
| Texas Partners Credit Union<br>Re: Resitution<br>1011 Wales Drive<br>Killeen, TX 76549<br>(254)526-3081                 | \$2,500.00                          |

DEFENDANT: Reiquon Gaines TN: REIQUON MALIK GAINES  
CASE NUMBER: EP:17-CR-00119-KC(2)

Credit Union Members Insurance \$5,353.00  
Society (CUMIS)  
Re: Claim No. B1039998  
P.O. Box 1221  
Madison, WI 53701

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column above. However, pursuant to 18 U.S.C. § 3664(i), all non-federal victims must be paid before the United States is paid.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. §3614.

The defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. §3612(f). All payment options may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. §3612(g).

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVT Assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs.

Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

\* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22